IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 3585 of 2004(B)

PETITIONERS:

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1. **V.ANTO PAUL, OPERATOR,**
   KILALUR PUMP HOUSE, KERALA WATER AUTHORITY,
   WADAKKANCHERRY SECTION, KUMARANALLOOR P.O.,
   THRISSUR DISTRICT.

2. **A.HARI, OPERATOR, (PAINKULAM PUMP HOUSE)**
   KERALA WATER AUTHORITY, WADAKKANCHERRY SECTION,
   KUMARANALLUR P.O., THRISSUR DISTRICT.

BY ADV. SRI.P.SANTHOSH KUMAR (PANAMPALLI NAGAR)
SRI.LUIZ GODWIN D'COUTH

RESPONDENTS:

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1. **THE MANAGING DIRECTOR, KERALA WATR**
   AUTHORITY, 'JALA BHAVAN', VELLAYAMBALAM,
   THIRUVANANTHAPURAM.

2. **THE CHIEF ENGINEER, KERALA WATER**
   AUTHORITY, ERNAKULAM.

3. **THE EXECUTIVE ENGINEER, WATER**
   AUTHORITY DIVISION, CHEMBUKKAVU, THRISSUR.

4. **THE ASSISTANT EXECUTIVE ENGINEER,**
   KERALA WATER AUTHORITY, SUB DIVISION,
   WADAKKANCHERRY, THRISSUR.

5. **THE ASSISTANT ENGINEER, KERALA WATER**
   AUTHORITY, WADAKKANCHERRY SECTION, THRISSUR.

6. **PRINCE NELLICKAL, OPERATOR,**
   CHERUTHURUTHY PUMP HOUSE, CHERUTHURUTHY P.O.,
   THRISSUR.

7. **M.R.MOHANDAS, WATCHMAN, PAIKULAM PUMP**
   HOUSE, PAIKULAM P.O., THRISSUR.

BY ADV. SRI.C.UNNIKRISHNAN, SC, KWA for R1 to R5
SRI.M.V.MATHAI MUTHIRENTHY, SC, KWA
SRI.N.P.SAMUEL for R6 & R7

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.3585/2004B

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: COPY OF THE ITI CERTIFICATE (MECHANICAL) OF THE 1ST PETITIONER BEARING REG.NO.154673 DTD.31/07/1990.

EXT.P2: COPYOF THE ITI CERTIFICATE (MECHANICAL) OF THE 2ND PETITIONER BEARING REG.NO.13554 DTD. 23/09/1991.

EXT.P3: COPY OF THE G.O.NO.34907/B3/3/98/WA DTD. 24/02/1999.

EXT.P4: COPY OF THE PAPER REPORT IN 'MALAYALA MANORAMA' DAILY DTD. 2/08/2003.

EXT.P5: COPY OF THE PAPER REPORT IN 'DESHABHIMANI' DAILY DTD. 2/08/2003.

EXT.P6: COPY OF THE JUDGMENT IN O.P.NO.25278/2003 OF THE HON'BLE HIGH COURT OF KERALA DTD. 13/08/2003.

EXT.P7: COPY OF THE ORDER ISSUED BY THE 4TH RESPONDENT NO.E-155/88 DTD. 27/01/2004.

EXT.P8: COPY OF THE REPRESENTATION SUBMITTED BY THE PETITIONER NO.1 TO THE 4TH RESPONDENT DTD. 24/05/2004.

6TH RESPONDENT'S EXHIBITS:

EXT.R6(A): COPY OF CERTIFICATE OF NO.097927 DTD. 8/10/01 ISSUED BY GOVT. OF KERALA TO R6.

EXT.R6(B): COPY OF LOG SHEET KEPT IN WADAKKENCHERRY SECTION OF WATER AUTHORITY FROM JANUARY, 2004 TO JULY, 2004.

/TRUE COPY/

KSS

KURIAN JOSEPH, J.

W.P(C)No.3585 of 2004

Dated this the 28th day of March, 2007

JUDGMENT

The prayer is for a direction to respondents 1 to 4 to engage the petitioners as Operators in the Pump House manned by the unqualified Operators under the 4th respondent. It is stated in the counter affidavit that the petitioners have no locus standi since they are engaged only by contractors. That is disputed by the petitioners. Be that as it may, since the prayer is for a writ of mandamus, it is for the petitioners to approach the 4th respondent in which case the matter will be duly considered by the 4th respondent.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.